

AMENDMENTS TO LB 224

(Amendments to Standing Committee amendments, AM711)

Introduced by Krist

1           1. Insert the following new amendments:

2           3. Insert the following new sections:

3           Section 1. Section 68-906, Revised Statutes Cumulative  
4 Supplement, 2012, is amended to read:

5           68-906 For purposes of paying medical assistance under  
6 the Medical Assistance Act and sections 68-1002 and 68-1006, the  
7 State of Nebraska accepts and assents to all applicable provisions  
8 of Title XIX and Title XXI of the federal Social Security Act.  
9 Any reference in the Medical Assistance Act to the federal Social  
10 Security Act or other acts or sections of federal law shall be to  
11 such federal acts or sections as they existed on January 1, 2010-  
12 2013.

13          Sec. 2. Section 68-915, Revised Statutes Cumulative  
14 Supplement, 2012, is amended to read:

15          68-915 The following persons shall be eligible for  
16 medical assistance:

17           (1) Dependent children as defined in section 43-504;

18           (2) Aged, blind, and disabled persons as defined in  
19 sections 68-1002 to 68-1005;

20           (3) Children under nineteen years of age who are eligible  
21 under section 1905(a)(i) of the federal Social Security Act;

22           (4) Persons who are presumptively eligible as allowed

1 under sections 1920 and 1920B of the federal Social Security Act;

2 (5) Children under nineteen years of age with a family  
3 income equal to or less than two hundred percent of the Office  
4 of Management and Budget income poverty guideline, as allowed  
5 under Title XIX and Title XXI of the federal Social Security Act,  
6 without regard to resources, and pregnant women with a family  
7 income equal to or less than one hundred eighty-five percent of  
8 the Office of Management and Budget income poverty guideline,  
9 as allowed under Title XIX and Title XXI of the federal Social  
10 Security Act, without regard to resources. Children described  
11 in this subdivision and subdivision (6) of this section shall  
12 remain eligible for six consecutive months from the date of  
13 initial eligibility prior to redetermination of eligibility. The  
14 department may review eligibility monthly thereafter pursuant to  
15 rules and regulations adopted and promulgated by the department.  
16 The department may determine upon such review that a child is  
17 ineligible for medical assistance if such child no longer meets  
18 eligibility standards established by the department;

19 (6) For purposes of Title XIX of the federal Social  
20 Security Act as provided in subdivision (5) of this section,  
21 children with a family income as follows:

22 (a) Equal to or less than one hundred fifty percent of  
23 the Office of Management and Budget income poverty guideline with  
24 eligible children one year of age or younger;

25 (b) Equal to or less than one hundred thirty-three  
26 percent of the Office of Management and Budget income poverty  
27 guideline with eligible children over one year of age and under six

1 years of age; or

2 (c) Equal to or less than one hundred percent of the  
3 Office of Management and Budget income poverty guideline with  
4 eligible children six years of age or older and less than nineteen  
5 years of age;

6 (7) Persons who are medically needy caretaker relatives  
7 as allowed under 42 U.S.C. 1396d(a)(ii);

8 (8) As allowed under 42 U.S.C. 1396a(a)(10)(A)(ii),  
9 disabled persons as defined in section 68-1005 with a family income  
10 of less than two hundred fifty percent of the Office of Management  
11 and Budget income poverty guideline and who, but for earnings in  
12 excess of the limit established under 42 U.S.C. 1396d(q)(2)(B),  
13 would be considered to be receiving federal Supplemental Security  
14 Income. The department shall apply for a waiver to disregard any  
15 unearned income that is contingent upon a trial work period in  
16 applying the Supplemental Security Income standard. Such disabled  
17 persons shall be subject to payment of premiums as a percentage of  
18 family income beginning at not less than two hundred percent of  
19 the Office of Management and Budget income poverty guideline. Such  
20 premiums shall be graduated based on family income and shall not be  
21 less than two percent or more than ten percent of family income;

22 (9) As allowed under 42 U.S.C. 1396a(a)(10)(A)(ii),  
23 persons who:

24 (a) Have been screened for breast and cervical cancer  
25 under the Centers for Disease Control and Prevention breast and  
26 cervical cancer early detection program established under Title XV  
27 of the federal Public Health Service Act, 42 U.S.C. 300k et seq.,

1 in accordance with the requirements of section 1504 of such act, 42  
2 U.S.C. 300n, and who need treatment for breast or cervical cancer,  
3 including precancerous and cancerous conditions of the breast or  
4 cervix;

5 (b) Are not otherwise covered under creditable coverage  
6 as defined in section 2701(c) of the federal Public Health Service  
7 Act, 42 U.S.C. 300gg(c);

8 (c) Have not attained sixty-five years of age; and

9 (d) Are not eligible for medical assistance under any  
10 mandatory categorically needy eligibility group; ~~and~~

11 (10) Persons eligible for services described in  
12 subsection (3) of section 68-972; ~~and-~~

13 (11) Any veteran as defined in section 80-401.03 with a  
14 family income of less than one hundred thirty-eight percent of the  
15 Office of Management and Budget income poverty guideline, subject  
16 to a state plan amendment or waiver. The department shall submit  
17 a state plan amendment or waiver for approval by the federal  
18 Centers for Medicare and Medicaid Services to provide coverage  
19 under the medical assistance program to persons eligible under this  
20 subdivision.

21 Except as provided in section 68-972, eligibility shall  
22 be determined under this section using an income budgetary  
23 methodology that determines children's eligibility at no greater  
24 than two hundred percent of the Office of Management and Budget  
25 income poverty guideline and adult eligibility using adult income  
26 standards no greater than the applicable categorical eligibility  
27 standards established pursuant to state or federal law. The

1 department shall determine eligibility under this section pursuant  
2 to such income budgetary methodology and subdivision (1)(q) of  
3 section 68-1713.

4 4. Renumber the remaining sections and correct the  
5 repealer accordingly.